

12 NOTICES

Where commercial cooking appliances are vented by means of the Type I or Type II kitchen exhaust hood system that serves such appliances, the exhaust system shall be fan powered and the appliances shall be interlocked with the exhaust hood system to prevent appliance operation when the exhaust hood system is not operating. Where a solenoid valve is installed in the gas piping as part of an interlock system, gas piping shall not be installed to bypass such valve. Dampers shall not be installed in the exhaust system.

Exception: An interlock between the cooking appliance and the exhaust hood system shall not be required for appliances that are of the manually operated type and are factory equipped with standing pilot burner ignition systems.

The Building Codes Council specifically requested comments concerning sections of this edition, which may be unsuitable for enforcement in South Carolina and considered all submissions. Based upon the evidence presented to it, the Building Codes Council finds the following modifications will provide a reasonable degree of public health, safety and welfare, and will be suitable for enforcement in South Carolina.

DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL

NOTICE OF GENERAL PUBLIC INTEREST

NOTICE OF FINAL AMENDMENT TO AIR QUALITY STATE IMPLEMENTATION PLAN

Statutory Authority: S.C. Code Section 48-1-10 et seq.

Synopsis:

The Department has amended the South Carolina Air Quality Implementation Plan (SIP) in association with the Rock Hill Fort Mill Area Transportation Study (RFATS) Metropolitan Planning Organization (MPO) 8-hour ozone nonattainment area.

In a Federal Register (FR) notice published on July 18, 1997 (62 FR 38856), the United States Environmental Protection Agency (EPA) promulgated amendments to the National Ambient Air Quality Standards (NAAQS) for ozone.

On April 30, 2004 (69 FR 23858), the EPA designated and classified the portion of York County, South Carolina within the RFATS MPO as a moderate nonattainment area for the 8-hour ozone NAAQS as part of the Charlotte-Gastonia-Rock Hill nonattainment area (Metrolina region). As a result of this designation, the Department submitted its required attainment plan for the RFATS MPO 8-hour ozone NAAQS nonattainment area on August 31, 2007.

On November 17, 2008, the EPA sent letters to North Carolina and South Carolina, explaining its intention to propose disapproval of the attainment demonstrations for the Metrolina region for the 1997 8-hour ozone standard by January 9, 2009. Within these letters, the EPA indicated this decision was based on its belief that the area was unlikely to attain the 1997 ozone standard by June 15, 2010, or meet the requirements for a one-year extension of the attainment date. As a result, the Department withdrew its attainment demonstration on December 22, 2008. EPA then made a finding of failure to submit State Implementation Plan revisions required for the 1997 8-hour ozone NAAQS to South Carolina and North Carolina for the Charlotte-Gastonia-Rock Hill nonattainment area [*Federal Register* notice published on May 8, 2009 (74 FR 21550)]. It should be noted that no monitors in the Metrolina region exceeded the 1997 8-hour ozone standard during the 2009 ozone season, which met the requirement for a one-year extension of the attainment date. In consideration of this data and in consultation with the North Carolina Department of Environment and Natural Resources and the EPA, the Department will resubmit an updated Attainment Demonstration.

Specifically, based on EPA guidance, the Department is resubmitting the original attainment demonstration submitted in 2007 with additional information including the 2011 modeling and actual air quality data from 2009.

The Department published a Notice of General Public Interest which included an announcement of a 30-day comment period and opportunity to request a public hearing in the State Register on February 26, 2010. A prehearing package was submitted to the EPA on February 26, 2010. No request for a public hearing was received, and the public comment period closed on March 29, 2010. Written comments were received from the Southern Environmental Law Center. Responses to these comments are included in the Department's submittal to the EPA which was sent on April 27, 2010.

These submittals and further information is available via the Department's website at http://www.scdhec.gov/environment/baq/Metrolina-SC_Nonattainment/.

DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL

NOTICE

In accordance with Section 44-7-200(C), Code of Laws of South Carolina, the public is hereby notified that a Certificate of Need application has been accepted for filing and publication May 28, 2010, for the following project(s). After the application is deemed complete, affected persons will be notified that the review cycle has begun. For further information, please contact Mrs. Sarah "Sallie" C. Harrell, Division of Planning and Certification of Need, 2600 Bull St., Columbia, SC 29201 at (803) 545-4200.

Affecting Aiken County

Construction for the addition of twelve (12) psychiatric beds for a total of forty-one (41) licensed psychiatric beds

Aiken Regional Medical Center

Aiken, South Carolina

Project Cost: \$2,670,236

Affecting Anderson County

Construction of a sixty (60) bed nursing home that does not participate in the Medicaid (Title XIX) Program

The Gardens at Town Creek

Pendleton, South Carolina

Project Cost: \$12,122,501

Affecting Calhoun and Orangeburg Counties

Expansion and renovation of the medical oncology area of the Mabry Cancer Center to include the addition of a second (2nd) linear accelerator

The Regional Medical Center of Orangeburg and Calhoun Counties

Orangeburg, South Carolina

Project Cost: \$9,136,840

Affecting Horry County

Construction of a sixty (60) bed nursing home that will not participate in the Medicaid (Title XIX) Program

Seaside Living Center

Myrtle Beach, South Carolina

Project Cost: \$13,199,222